

Message Text

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67

ORIGIN EB-07

INFO OCT-01 EUR-12 IO-10 ISO-00 AF-06 ARA-06 EA-06 NEA-09

FEA-01 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03

H-02 INR-07 INT-05 L-02 LAB-04 NSAE-00 NSC-05 PA-01

AID-05 CIEP-01 SS-15 STR-04 TAR-01 TRSE-00 USIA-06

PRS-01 SP-02 OMB-01 /129 R

DRAFTED BY EB/ITP/EWT:MTLORIMER:ERS

APPROVED BY EB/ITP:MGLITMAN

STR-AGARLAND

COMMERCE/OTP-BMARSH

COMMERCE/BEWT-DHASFURTHER

TREASURY-SLYON

EUR/EE-RCHRISTENSEN

EUR/RPE-RHARDING

L/EB-CPITMAN

USDA-GFRASER

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P 231927Z APR 75

FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST PRIORITY

USMISSION EC BRUSSELS PRIORITY

INFO USMISSION GENEVA PRIORITY

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E.O. 11652: N/A

TAGS: EEWT, RO, ETRD

SUBJECT: GATT AND ROMANIAN TARIFF

REFS: A) BUCHAREST 940, B) BUCHAREST 988, C) BUCHAREST
1240, D) GENEVA 1978, E) STATE 63518

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1) IN VIEW OF CONSIDERATIONS RAISED REFS C AND D, EMBASSY SHOULD IN THE FIRST INSTANCE REVIEW ROMANIAN POSITION WITH GOR. EMBASSY SHOULD TELL GOR OFFICIALS WE BELIEVE VIEWS EXPRESSED BY NICOLAE AND DUMITRESCU REPRESENT SIGNIFICANT STEP TOWARD SATISFACTORY RESOLUTION OF WP ISSUES, AND THAT WE WISH NOW TO CONFIRM OUR UNDERSTANDING OF GOR'S POSITION, IN HOPE THAT INTERESTED PARTIES CAN REACH AGREEMENT ON FORMULATION IN WP REPORT.

2) BUCHAREST SHOULD TELL GOR OFFICIALS THAT WE UNDERSTAND GOR'S POSITION IS THAT WP REPORT SHOULD FOCUS ON CONSISTENCY OF TARIFF WITH GATT, AND THAT QUESTION OF TARIFF'S EFFECTIVENESS IS OUTSIDE SCOPE OF WP. ACCORDINGLY, IT SEEMS TO US THAT GOR'S POSITION WOULD BE REFLECTED IN WORKING PARTY REPORT THAT CONTAINED TWO ELEMENTS: A STATEMENT TO THE EFFECT THAT ON THE BASIS OF INFORMATION SUPPLIED BY ROMANIA, THE WORKING PARTY FOUND THAT THE MODALITIES OF THE ROMANIAN TARIFF ARE NOT INCONSISTENT WITH THE PROVISIONS OF THE GENERAL AGREEMENT; AND ADDITIONAL CLARIFICATION IN SOME FORM THAT THIS FINDING DOES NOT RELATE TO THE ISSUE OF THE EFFECTIVENESS OF THE TARIFF. EMBASSY SHOULD ASK FOR CONFIRMATION BY GOR OF ACCEPTABILITY OF WP REPORT ALONG THESE LINES.

3) IF GOR OFFICIALS ASK REASON FOR PHRASE QUOTE NOT INCONSISTENT WITH THE PROVISIONS OF THE GENERAL AGREEMENT UNQUOTE, RATHER THAN ROMANIAN WORDING QUOTE CONFORMS TO GATT NORMS UNQUOTE, YOU MAY STATE THAT FORMER APPEARS CLOSER TO THE SENSE OF DISCUSSIONS IN WP, WHICH DID NOT FOCUS ON SETTING OUT SPECIFIC NORMS AND WHETHER TARIFF CONFORMS TO THEM IN ALL RESPECTS. ALSO, IT IS FORMULATED IN TERMS USED IN GATT, UNLIKE ROMANIAN PHRASE. IF ROMANIANS CONSIDER QUOTE NOT INCONSISTENT WITH UNQUOTE TOO NEGATIVE IN TONE, YOU MAY STATE THAT WE FEEL THAT QUOTE NOT INCONSISTENT WITH UNQUOTE (A) IS MORE APPROPRIATE IN THIS CASE BECAUSE IT IS LESS SWEEPING, BEING RESTRICTED IN SCOPE TO PARTICULAR POINTS UNDER CONSIDERATION, AND (B) IS INTENDED TO BE PRECISE, NOT NEGATIVE. (DOUBLE NEGATIVES ARE COMMON IN GATT DECISIONS, REPORTS, ETC.) IF, HOWEVER, GOR AFTER FURTHER LIMITED OFFICIAL USE

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CONSIDERATION CONTINUES TO MAINTAIN UNACCEPTABILITY OF QUOTE NOT INCONSISTENT WITH UNQUOTE, YOU MAY STATE THAT USG PROBABLY WOULD NOT BALK AT STATEMENT TO THE EFFECT THAT ON THE BASIS OF INFORMATION SUPPLIED BY ROMANIA THE MODALITIES OF THE ROMANIAN TARIFF APPEAR QUOTE IN COMPLIANCE WITH UNQUOTE (OR ALTERNATIVELY, QUOTE APPEAR COMPATIBLE WITH UNQUOTE) THE PROVISIONS OF THE GENERAL AGREEMENT.

4) AFTER CLARIFICATION OBTAINED FROM GOR, POSTS SHOULD
NOT PROCEED FURTHER UNTIL ADDITIONAL INSTRUCTIONS
RECEIVED. KISSINGER

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Message Attributes

Automatic Decaptioning: X
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Draft Date: 23 APR 1975
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Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
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